

# **EXHIBIT B**

Transcript of the Testimony of  
**Franklin, Mary Elizabeth**

**Date:** September 18, 2019

**Case:** State of Texas, et al. v. United States of America, et al.

**Bushman Court Reporting**

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IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION

STATE OF TEXAS, et al., PLAINTIFFS

v. CASE NO. 1:18-CV-68

UNITED STATES OF AMERICA, et al., DEFENDANTS

and

KARLA PEREZ, et al., DEFENDANT-INTERVENORS

and

STATE OF NEW JERSEY DEFENDANT-INTERVENOR

DEPOSITION OF:

MARY ELIZABETH FRANKLIN

(Taken September 18th, 2019,  
at 9:01 a.m.)

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1 Is that right?

2 A Yes.

3 Q And was there an attachment to that e-mail where  
4 Ms. Ashley sends you an attachment?

5 A Yes, that was this [indicating].

6 Q Exhibit 4?

7 A Yes.

8 Q Okay. And then it looks like I see an e-mail above  
9 that where you're sending a communication. You're  
10 sending an e-mail to Mr. Jacobs; is that right?

11 A Yes.

12 Q That's dated September 3rd?

13 A Yes.

14 Q And was there an attachment to this e-mail?

15 A No. At this point he just got the chain.

16 Q I understand.

17 A He just got the chain, not all the attachments  
18 within the chain.

19 MS. PERALES: Okay. So at this point I'd  
20 like to request of counsel that we receive the  
21 attachments that were associated with these  
22 e-mails.

23 MR. DISHER: We will certainly discuss  
24 that and look at the attachments and then  
25 communicate that back to you whether we can

1 produce that. But we'll take a look at it for  
2 sure.

3 MS. PERALES: Thank you.

4 MR. DISHER: And presumably there will be  
5 redactions that have to be done.

6 MS. PERALES: Understood.

7 BY MS. PERALES:

8 Q We have two more e-mail strings associated with  
9 this exhibit, and it looks like there might be a little  
10 bit of an overlap in some of the e-mails.

11 So if we turn to Bates 441, which is the  
12 beginning of that second string, we see an e-mail from  
13 Ms. Ashley to you on July 26. That looks like the same  
14 e-mail that we see on Bates 439. But I just wanted you  
15 to confirm that for me.

16 A Yes.

17 Q Then behind that, on Bates page 442, it looks like  
18 the same e-mail that we see on Bates 439; is that right?

19 A Yes.

20 Q So we've already talked about those.

21 And then, of course, I see across the top that  
22 you're sending these e-mails to Mr. Jacobs with an FYI,  
23 right?

24 A Yes.

25 Q Then, finally, let's turn to Bates 443, which is

1 Exhibit 4 without the claims column.

2 Q Sure.

3 A It's not here.

4 Q And I also don't have the unredacted version --

5 A That's correct.

6 Q -- which I presume at some point passes through  
7 you?

8 A Yes.

9 Q Did you receive any other documents that were  
10 either explanatory to what you were receiving, or were  
11 like backup runs, or anything like that?

12 A No.

13 Q Did you bring any documents explaining for  
14 Exhibit 4 how much of the amounts represented in the  
15 final column total paid amount were reimbursed at 100  
16 percent by CHIP?

17 A No.

18 Q Did you bring any documents showing how the DACA  
19 designation is communicated to your eligibility system  
20 by the VLP?

21 A No.

22 MS. PERALES: You mentioned earlier that  
23 there was a key of status codes, I guess, for  
24 lack of a better word. I believe that that  
25 key would be responsive to the subpoena duces

1           tecum. And so I'd like to ask for the  
2           production of the key.

3           MR. DISHER: We will look at the key and  
4           evaluate to the extent that we have it. I've  
5           never seen it. And so we'll see if we can  
6           find it and we'll take a look at it and we'll  
7           communicate with you about it.

8           MS. PERALES: Okay. Thank you.

9           I'd also like to request if there's any  
10          document, other than the key document, that  
11          shows us how DACA-related information is  
12          communicated out of the hub or out of the VLP  
13          to the state eligibility system.

14          MR. DISHER: I understand.

15          MS. PERALES: We need a minute.

16          MR. DISHER: Sure.

17          (A recess was taken from 12:18 p.m. to  
18          12:24 p.m.)

19          MS. PERALES: I pass the witness.

20          MR. DISHER: Jeremy, do you have any  
21          questions?

22          MR. HOLLANDER: No, not at this time.

23                               EXAMINATION

24          BY MR. DISHER:

25          Q       First I want to talk about the CHIP reimbursement



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C E R T I F I C A T E

[illegible]

I, Connie M. Williams, Certified Court Reporter and Notary Public, do hereby certify that the facts stated by me in the caption on the foregoing proceedings are true; and that the foregoing proceedings were reported verbatim through the use of the stenographic method and thereafter transcribed by me or under my direct supervision to the best of my ability, taken at the time and place set out on the caption hereto.

I further certify that in accordance with Rule 30(e) of the Rules of Civil Procedure, review of the transcript was requested by the deponent or a party thereto.

I further certify that I am not a relative or employee of any attorney or employed by the parties hereto, nor financially interested in the outcome of this action, and that I have no contract with the parties, attorneys, or persons with an interest in the action that affects or has a substantial tendency to affect impartiality, that requires me to relinquish control of an original deposition transcript or copies of the transcript before it is certified and delivered to the custodial attorney, or that requires me to provide any service not made available to all parties to the action.

WITNESS MY HAND AND SEAL this 1st day of  
October, 2019.

Cornie M. Williams



CONNIE M. WILLIAMS  
CCR, LS No. 750, Notary Public in  
and for Perry County, Arkansas  
My Commission Expires 5/2/23

SIGNATURE OF DEPONENT CERTIFICATE

I, MARY ELIZABETH FRANKLIN, do hereby certify that I have read the foregoing deposition, taken on September 18th, 2019, and that, to the best of my knowledge and belief, said deposition is true and accurate with the exception of the following corrections listed below:

[illegible]

Date: \_\_\_\_\_  
 Witness Signature: \_\_\_\_\_  
 STATE OF \_\_\_\_\_  
 COUNTY OF \_\_\_\_\_

\_\_\_\_\_  
SUBSCRIBED AND SWORN TO before me this  
\_\_\_\_ day of \_\_\_\_\_, 2019.

My Commission expires:

Notary Public: \_\_\_\_\_